IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

NICE SYSTEMS, INC. and NICE SYSTEMS LTD.,

Plaintiffs,

v.

C.A. No. 06-311-JJF

WITNESS SYSTEMS, INC.,

Defendant.

DEFENDANT WITNESS SYSTEMS, INC.'S MOTION FOR TRANSFER

Defendant Witness Systems, Inc. hereby respectfully asks that the Court transfer this action to the Northern District of Georgia, pursuant to 28 U.S.C. § 1404(a). Witness Systems, Inc.'s brief in support and accompanying supporting exhibits are filed contemporaneously herewith.

Dated: June 29, 2006 FISH & RICHARDSON P.C.

By: /s/ William J. Marsden, Jr.
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Attorneys for Defendant Witness Systems, Inc.

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

| NICE SYSTEMS, INC. and NICE SYSTEMS LTD., | |
|---|---------------------|
| Plaintiffs, | C.A. No. 06-311-JJF |
| v. | C.A. No. 00-311-JJF |
| WITNESS SYSTEMS, INC., | |
| Defendant. | |

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of June, 2006, I electronically filed with the Clerk of Court the attached DEFENDANT WITNESS SYSTEMS, INC.'S MOTION FOR TRANSFER using CM/ECF which will send electronic notification of such filing(s) to the following attorneys of record. In addition, the filing will also be sent at the following addresses in the manner indicated below:

VIA HAND DELIVERY

Josy W. Ingersoll (#1088) Karen L. Pascale (#2903) YOUNG CONAWAY STARGATT & TAYLOR LLP The Brandywine Building 1000 West Street, 17th Floor Wilmington, DE 19899-0391 Tel: (302) 571-6672

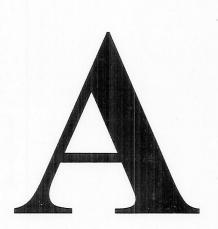
VIA ELECTRONIC MAIL

Scott G. Lindvall (Admitted pro hac vice)
Daniel DiNapoli (Admitted pro hac vice)
Joseph M. Drayton (Admitted pro hac vice)
Robert R. Laurenzi (Admitted pro hac vice)
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ATTORNEYS FOR PLAINTIFFS
NICE SYSTEMS LTD. AND

/s/ Kyle Wagner Compton

NICE SYSTEMS, INC.

Kyle Wagner Compton



RULE 7.1.1 CERTIFICATION

Pursuant to D. Del. Local Rule 7.1.1, Witness Systems, Inc. certifies that it has asked plaintiffs NICE Systems, Inc. and NICE Systems Ltd. (collectively, "NICE") to consent to the transfer of this action to the Northern District of Georgia, and that NICE has declined to consent to such transfer.

/s/ Kyle Wagner Compton Kyle Wagner Compton (#4693)

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

| NICE SYSTEMS, INC. and NICE SYSTEMS LTD., | | |
|---|---|--|
| Plaintiffs, | C.A. No. 06-311-JJF | |
| v. | | |
| WITNESS SYSTEMS, INC., | | |
| Defendant. | | |
| [PROPOSED] ORDER | | |
| The Court, having considered Defendant Witness Systems, Inc.'s Motion for | | |
| Transfer and its supporting papers, and having | ng considered the parties' arguments with | |
| regard to that motion, rules as follows: | | |
| Defendant Witness Systems, Inc.'s Motion for Transfer is GRANTED. | | |
| IT IS HEREBY ORDERED this day of, 2006 that this action | | |
| is transferred to the Northern District of Georgia. | | |
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| | Hon. Joseph J. Farnan, Jr. | |
| | United States District Judge | |